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OCT 15 2019

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

U.S. DISTRICT COURT  
EASTERN MICHIGAN

MICHAEL WARD,

Petitioner,

v.

HUGH WOLFENBARGER, et al.,

Respondents.

CASE NO. 03-CV-72701

HON. ARTHUR J. TARNOV  
Senior USDJ

REQUEST ORAL ARGUMENT  
REQUEST EVIDENTIARY HEARING  
REQUEST APPOINTED COUNSEL

PETITIONER'S MOTION FOR ORDER  
FINDING AND SANCTIONING/PROSECUTING  
RESPONDENT AGENT "PERJURY"

Petitioner, MICHAEL WARD, moves this Honorable Court for an order finding that Respondent's agent Diana Judge (MDOC Records Administrator), knowingly and intentionally committed the Federal felony act of "perjury"; and that Respondent's counsel, Mich. Asst Attorney General John S. Pallas, knowingly and intentionally conspired, aided and abetted <sup>1/</sup> that "perjury", all to obstruct justice and to Petitioner Ward's injury and prejudice, as relating to the outcome of the above captioned cause. More specifically:

1. Reference John Pallas's notice of e.filing, and affidavit of Diana Judge, submitted by Mr. Pallas to this Court, under cover of Petitioner's pending MOTION FOR RECONSIDERATION, dated 8/14/19, as EXHIBITS 7-7b.

a) On 3/8/12 at 11:08 a.m. EST, John Pallas did e.file with this Court, in the above captioned cause, the affidavit of his client, Diana Judge, dated and sworn to under penalty of perjury on 3/5/12.

1/ And suborned.

1) The intent of Pallas and Ms. Judge was to gain an unfair and unconstitutional tactical advantage, in disregard of the injury and prejudice caused unto Petitioner Ward, and with disregard and deliberate indifference to the obstruction of justice that the affidavit and its filing would have in this case above captioned.

2. Quoting relevant portions of Ms. Judge's affidavit:

¶ 2 - "That, pursuant to a request from John S. Pallas, Asst Atty General, I was directed to review the MDOC records for Michael Charles Ward, #128267, to determine if any references remained to the prisoner's convictions for possession of marijuana and possession of LSD from 1971."

¶ 4 - "The files reviewed include the prisoner's Central Office file, his Record Office file, his Counselor file, his Audit file, his Education file and his Medical file."

¶ 6 - "That Records Administration staff conducted a systematic and thorough review of these files."

¶ 7 - "That any references in these records to the prisoner's expunged 1971 convictions that were observed during this review were redacted using a black felt-tip pen."

¶ 8 "It is my good-faith belief, based on the review completed on 2/23/12, that there are no longer any references to the prisoner's expunged 1971 convictions in the above-named files."

3. That, in fact, and now of record, Petitioner Ward, his former Federal Defender, and Respondent's counsel Linus Banghart-Linn have discovered literally hundreds of documents in the same files reviewed by Diana Judge, containing direct and indirect references and citations to the 1971 convictions. See documents filed as exhibits to Petitioner's pro-per supplemental brief; the Federal Defender's supplemental brief; and Petitioner's pro-per Reply Brief. And see, the "certificate of compliance," of Linus

Banghart-Linn, dated 9/6/19; NOTING Petitioner's objections to that certification dated 9/12/19.


4. The sum total clearly indicating that it is most likely a jury would convict on the charge of perjury, conspiracy and aiding and abetting. <sup>2/</sup>

WHEREFORE, Petitioner prays this Honorable Court enter an appropriate order and fact-finding, including holding a formal evidentiary hearing permitting the subpoenaing of witnesses; and imposing upon the named parties to perjury, sanctions, including but not limited to monetary, and/or recommending to the U.S. Attorney that Federal Criminal charges/indictment issue, accordingly.

2/ And subornation.

Date: 10/10/19

Respectfully submitted,

  
Michael Ward #128267  
Macomb Corr Fac  
34625 26 Mile Rd  
Lennox Twp., MI 48048

Petitioner/Pro-per

Date: 10/10/19

Re: Ward v Wolfenbarger, et al.

Case#: 03-cv-72701 (AJT)

Dear Clerk & Judge Tarnow:

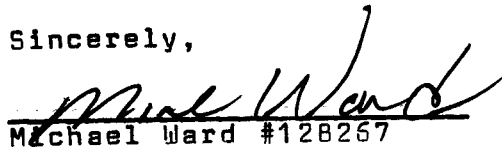
ENCLOSED for filing and the Court's consideration is one (1) original of the below pleading. On this date, by way of separate mailing I have mailed a "judge's copy" to Judge Tarnow's chambers.

1. PETITIONER'S MOTION FOR ORDER FINDING AND  
SANCTIONING/PROSECUTING RESPONDENT AGENT "PERJURY";

2. Certificate/Proof of Service - See herein below.

Thank you for your time and assistance in processing this matter.

Sincerely,



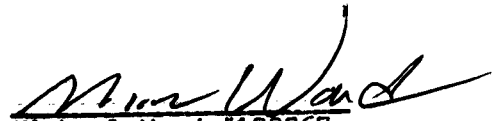
Michael Ward #128267  
Macomb Corr Fac  
34625 26 Mile Rd  
Lenox Twp., MI 48048

Petitioner/Pro-per

CERTIFICATE/PROOF OF SERVICE

I, MICHAEL WARD, Petitioner herein, certify and declare under penalty of perjury that on 10/10/19, I placed a copy of the above identified "PETITIONER'S SUPPLEMENT TO PENDING MOTION FOR RECONSIDERATION, OFFERING A REALISTIC & EQUITABLE SOLUTION, w/Exh. attachments #1, 2," in the U.S. Mail, 1st class postage prepaid, addressed to the presiding judge, and opposing counsel of record: HONORABLE Arthur J. Tarnow, Senior USDJ, U.S. District Court, E.D. Mich., Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Room 124, Detroit, MI 48226; and LINUS BANGHART-LINN, Asst Mich Attorney General, Criminal Appellate Division, P.O. Box 30217, Lansing, MI 48909.

28 USC § 1746



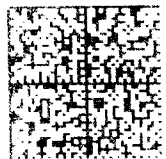
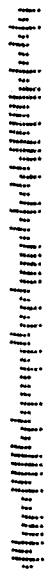
Michael Ward #128267  
Affiant/Petitioner

Name: Michael Ward  
# 128267  
MACOMB CORRECTIONAL FACILITY  
34625 26 Mile Road  
~~NEWARK, MI 48048~~  
Lennox Twp.,

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CLERK of the Court  
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